



## OFFICE OF THE BOARD OF HEALTH

### Town of Arlington

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The Board of Health, Town of Arlington, Massachusetts in accordance with, and under the authority granted by Sections 31A and 31B of Chapter 111 of the General Laws of the Commonwealth of Massachusetts hereby adopted the following rules and regulations at a meeting of the Board held on March 19, 1985.

Effective Date: These regulations shall take effect on July 1, 1985. Revised December 9, 1998.

### **Dumpster Regulations and for the Removal and Transportation of Garbage, Rubbish, Offal, or Other Offensive Substances**

1. Definitions:

Board: The Board of Health or its agent or designee.

Dumpster: Any container (other than a conventional trash can with lid) used for the outside storage of garbage, rubbish, or refuse of any sort.

2. Each dumpster must be located at a distance from the lot line so as not to interfere with the safety, convenience, or health of abutters or residents. Dumpster location must be approved by the Board.
3. When deemed necessary by the Board, it may be required that a dumpster site be enclosed or screened by the property owner or authorized agent.
4. All dumpsters must have lids that remain closed at all times when not in use.
5. Each dumpster must be of sufficient size and capacity to eliminate overflowing, and the property owner or authorized agent of the premises utilizing the service must take appropriate action immediately to empty contents when full.
6. Each dumpster must be situated so as not to obstruct the view of flowing traffic.
7. It shall be the responsibility of the owner or agent whose property is being serviced to maintain the dumpster area free of odors, scattered debris, overflowing, and all other nuisances.

8. No contractor, firm, or person shall supply a dumpster service in the Town of Arlington for the purpose of storage, removal, or transporting of garbage, rubbish, offal, or other offensive substances without first obtaining a dumpster service permit from the Board. All permits shall expire at the end of the calendar year in which they are issued, but may be renewed annually on application as herein provided. There shall be a fee of \$100.00 payable for said permit.
9. The contractor shall have his/her name and business telephone number conspicuously displayed on the dumpster.
10. The emptying of the dumpster contents on residential property by the contractor shall not commence before 7:00 a.m. and not continue after 10:00 p.m. The Board may modify these hours in a more restrictive fashion, if in its reasonable judgment it is convinced that the public health, safety, or welfare would be better served. The Board shall be guided in this regard by the location, nearness to residential property, frequency of emptying, resulting noise and other factors which it considers appropriate.
11. The dumpster contractor shall have the dumpster deodorized when emptied or if necessary, washed or sanitized as directed by order of the Board.
12. These regulations apply to all dumpsters in the Town of Arlington whether for residential, commercial, or industrial use.
13. Dumpster service permits may be suspended or revoked by the Board for failure of the dumpster contractor to comply with the requirements of these regulations.
14. The Board may attach any conditions to the dumpster service permit that it deems would serve the interest of the safety, health, welfare, or quality of life of the citizens of the Town of Arlington.
15. The Board may, by written decision, vary the application of any provision of these regulations with respect to any particular case, when the enforcement thereof would do manifest injustice; provided that any such decision of the Board shall not conflict with the express purpose of these regulations. Any variance shall, while it is in effect, be available to the public during normal business hours in the Health Department office.
16. Any person who violates the terms of these regulations shall be subject to a fine of \$25.00 for the first offense and \$50 for each subsequent offense under the non-criminal disposition authorized by M.G.L. Chapter 40 Section 21D and Town By-law Title VIII, Article 3 Section 7. Each day shall constitute a separate offense.

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Carole Allen, M.D.

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Gregory Leonardos